

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 4222 OF 2004

Jitendra Ramprakash Arora ..Applicant

versus

The State of Maharashtra ..Respondents

Mr. K. T. Thomas for the Applicant.

Mr. V. B. Konde-Deshmukh A.P.P. for the
Respondents.

CORAM : A.M. KHANWILKAR, J.

DATE : 20TH OCTOBER 2004.

P.C. :

1. Heard counsel for the parties. Perused the record.

2. Leave to amend the name of the Applicant in the casue title.

3. The applicant has been arrested in connection with offence registered at DCB CID Unit No.3, Worli, Mumbai, being C.R. No.47 of 2004. In all 20 accused are allegedly involved in the commission of the said offence, out of whom 11 accused were arrested. Remaining accused are stated to be absoncing. Out of 11 arrested accused, 5

accused have already been released on bail by the lower court. In so far as the present applicant is concerned, who is accused No.7, the circumstance against him is that certain specimen of seals of RT0 have been recovered in his possession. The explanation offered by the applicant is that the said seals did not belong to him but were kept at his residence by one Imran. The said Imran is already released on bail. Be that as it may since the investigation is complete and charge sheet has also been filed and there is no prospects of early conclusion of the trial, the applicant deserves to be enlarged on bail. The learned APP however submits that although charge sheet has been filed and investigation is complete in so far as the present applicant is concerned, but some of the accused are absconding. That however, cannot be a ground for refusing bail to the present applicant.

4. In the circumstances, this application is allowed on the following conditions:

(a) The applicant is enlarged on bail in connection with C.R. No. 47 of 2004 registered with DCB CID Unit No.3, Worli, Mumbai, on executing personal bond in the sum of Rs.10,000/= (Rupees Ten thousand only) with two local sureties in the like amount. Original cash bail for two weeks is

allowed.

(b) The Applicant shall report to the concerned police station as and when called by the Investigation Officer for the purpose of interrogation.

(c) The applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(d) The applicant shall extend full co-operation to the trial court for early disposal of the case. In the event the trial court is of the opinion that the applicant is responsible for obstructing the smooth progress of the trial, that fact be recorded in the roznama which can be a ground for cancellation of bail.

Application disposed of accordingly.

A.M. KHANWILKAR, J.